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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 HENRY JAMES,

9 Plaintiff,

10 v.

11 FPI MANAGEMENT, INC., et al.,

12 Defendants.
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CASE NO. C18-998 RSM

ORDER OF DISMISSAL

14 This matter is before the Court *sua sponte* following the Court's previous Order to Show
15 Cause. Dkt. #85. That order required Plaintiff, within fourteen days, to demonstrate that he had
16 properly served the only remaining party, Defendant Brannnden Francisco ("Mr. Francisco"), or
17 show cause why his failure to serve should not result in dismissal. *Id.* The Court's order was
18 premised on Federal Rule of Civil Procedure 4, which requires dismissal for a Plaintiff's failure
19 to serve within 90 days after the complaint is filed. FED. R. CIV. P. 4(m). The Court specifically
20 noted that Plaintiff had filed a Proof of Service indicating that Mr. Francisco's summons was
21 being returned unexecuted. *Id.* at 1–2 (citing Dkt. #23). The Court indicated that a failure to
22 respond would result in dismissal. *Id.* at 2.

23 Plaintiff has failed to respond to the Court's Order to Show Cause. Plaintiff does not
24 argue that Mr. Francisco was properly served, establish good cause for his failure to serve Mr.

1 Francisco, or request an extension of time to serve Mr. Francisco. Accordingly, the Court finds
2 and ORDERS that all of Plaintiff's claims against Defendant Brannnden Francisco are
3 DISMISSED without prejudice. This matter is now CLOSED. The Clerk is directed to send a
4 copy of this Order to Plaintiff at his last known address.

5 DATED this 18th day of December 2019.

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8 RICARDO S. MARTINEZ
9 CHIEF UNITED STATES DISTRICT JUDGE
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